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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,336	02/13/2002	Kenneth Charles Boydston	1560(4000-03400)	8714
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			ART UNIT 3621	PAPER NUMBER
			MAIL DATE 05/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/075,336

Applicant(s)

BOYDSTUN ET AL.

Examiner

Cristina Owen Sherr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 16-18, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 16-18, 23 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is in response to applicant's amendment filed February 19, 2007. Claims 1-9, 17-18, and 23-24 are currently presented for examination.

#### ***Election/Restrictions***

2. Claims 19-21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on February 19, 2007.
3. Applicant's election without traverse of species IA (claims 1-9, 17-18 and 23-24), pursuant to a requirement for election of species in the reply filed on February 19, 2007 is acknowledged.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 16, and 22, as currently amended have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9, 17-18, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blakley, III et al. U.S. Patent 5,832,211 [Blakley], in view of Mehring et al.

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U.S. Patent 6,609,115 1311 [Mehring], and further in view of Densmore U.S. Patent 6,591,305 [Densmore].

7. As per claim 1 –

Blakley discloses: Read selected unencrypted data from source data store. For example Col.

7, lines 35-37. Blakley does not expressly show, convert unencrypted data to be

compatible with target data store; and populate target data store with the converted data.

However these differences are only found in the nonfunctional descriptive material and are

not functionally involved in the steps recited. The migration steps, taught by Blakley, teach

about the migration of data from a Source Domain to a Target Domain. Col. 10, lines 46-67,

that may be customer-tailored according to the user's particular needs, would be performed

the same regardless of the data.

8. It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to read selected data be it unencrypted or encrypted data from

source data store; convert unencrypted/encrypted data to be compatible with target data

store; and populate target data store with the converted data, because such data does not

functionally relate to the steps in the method claimed and because the subjective

interpretation of the data does not patentably distinguish the claimed invention.

9. Blakley further discloses: Receive identification from a user seeking access to

information protected by the target user authenticator. For example Col. 7, lines 17-35.

10. Locate the corresponding identification in the target data store and determine

whether the target data store includes a password associated with the identification. For

example Col. 11, lines 44-55, Blakley teaches locating the corresponding identification in the target data store, which includes a password, associated with the user's identification.

11. Receive a password from the user associated with the received identification. For example Col. 11, lines 25-67. Blakley discloses the claimed invention except for if the target data store does not include a password associated with the identification, then submits the received identification and received password to the source user authenticator. Mehring teaches that it is known in the art to provide if the target data store does not include a password associated with the identification, then submit the received identification and received password to the source user authenticator. Col. 10, lines 49-67, Col. 11, lines 1-10. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the authentication procedure Blakley with the if the target data store does not include a password associated with the identification, then submit the received identification and received password to the source user authenticator of Mehring, in order to facilitate the use of the data during the migration phase of the data transfer.
12. Further, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to if the target data store does not include a password associated with the identification, then submit the received identification and received password to the source user authenticator since it is known in the art that during a data base migration period, if the target data store does not include a password associated with the identification, then submit the received identification and received password to the source user authenticator.

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13. Monitor the source user authenticator for an approval response; for example

Col. 8, lines 1-10, Col. 9, lines 34-67.

14. Blakley discloses the claimed invention except for on receipt of an approval response from the source user authenticator populates the target data store with the received password associating the received password with the corresponding identification.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to on receipt of an approval response from the source user authenticator

populate the target data store with the received password associating the received password with the corresponding identification, since it is known in the art that to facilitate the complete transfer of data, when data is found missing from the original source, it is restored by the data from the original source.

15. Authenticate the identification and password using the target user authenticator. For example Blakely at Col. 23, lines 5-35.

16. Additionally, neither Blakely nor Mehring discloses intercepting a password or identification by implementing a servlet. Densmore, however, does disclose a servlet which intercepts requests. (e.g. Col 8 ln 64-66). It would have been obvious to one of ordinary skill at the time the invention was made to use a servlet to intercept a password or other necessary data in order to facilitate the transfer of data while preserving security.

17. As per claim 2:

Blakley further discloses: If, after determining whether the target data store includes a password associated with the identification, the target data store does include a password

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associated with the identification, then authenticate the identification and password using the target user authenticator. For example Col. 7, lines 15-20.

18. As per claim 3:

Blakley further discloses: Receiving a password in a single submission from the user in conjunction with receiving the identification from the user. For example Col. 7, lines 15-35

19. As per claims 4, 5, 17, and 23:

Blakley discloses the claimed invention except for the receiving a password in a submission from the user after the initial submission of the identification from the user. However, Blakley does disclose the use of a password and a corresponding unique account identification number. Col. 7, lines 15-20. Mehring teaches that it is known in the art to provide a receiving a password in a submission from the user after the initial submission of the identification from the user. Col. 10, lines 60-67. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the password/unique identification element of Blakley with the receiving a password in a submission from the user after the initial submission of the identification from the user of Mehring, in order to increase the security in accessing data. Further, It would have been obvious to modify the teachings of Blakley, to provide the step of receiving a password in a submission from the user after the initial submission of the identification from the user.

20. Since the applicant has not disclosed that receiving a password in a submission from the user after the initial submission of the identification from the user solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the

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invention over similar features in the prior art since, the teachings of Blakley will perform the invention as claimed by the applicant with any means, method, or product to receiving a password in a submission from the user after the initial submission of the identification from the user.

21. As per claims 6, 18, and 24:

Blakley discloses the claimed invention, as discussed above, except for the step of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user. It would have been an obvious to modify the teachings of Blakley to provide the step of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user.

22. Since the applicant has not disclosed that prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Blakley will perform the invention as claimed by the applicant with any means, method, or product to prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user.

23. As per claim 7:

Blakley discloses the claimed invention except for the wherein the action of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user occurs after determining that the target data store does not



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include a password associated with the identification; and, wherein the action further comprises using the source user authenticator to prompt for and receive the identification and a password from the user after the initial submission of the identification from the user.

24. Mehring teaches that it is known in the art to provide wherein the action of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user occurs after determining that the target data store does not include a password associated with the identification; and, wherein the action further comprises using the source user authenticator to prompt for and receive the identification and a password from the user after the initial submission of the identification from the user.

25. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the security method of Blakley with wherein the action of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user occurs after determining that the target data store does not include a password associated with the identification; and, wherein the action further comprises using the source user authenticator to prompt for and receive the identification and a password from the user after the initial submission of the identification from the user of Mehring, in order to authenticate the user requesting the data.

26. As per claims 8 and 9:

Blakley discloses the claimed invention except for wherein while the source user authenticator is receiving the submitted password from the user, capturing the password provided by the user in response to the source authenticator prompting and using the captured password as the received password.

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27. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to wherein while the source user authenticator is receiving the submitted password from the user, capturing the password provided by the user in response to the source authenticator prompting and using the captured password as the received password since it is known in the art to use the password provided by the user in response to the source authenticator prompting and using the captured password as the received password.

28. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### **Conclusion**

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

30. Leah et al. US 6,986,038 131 TECHNIQUE FOR SYNCHORNIZING SECURITY CREDENTIALS FROM A MASTER DIRECTORY, PLATFORM, OR REGISTRY. Discloses prompting of the user.

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31. Lemon US 7,016,953 discloses an HTTP transaction monitor including a servlet that intercepts HTTP requests.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

33. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

34. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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